

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA 99 SEP 13 PM 2:07
SOUTHERN DIVISION

U.S. DISTRICT COURT
N.D. OF ALABAMA

MANSON FISHER, JR.,)
vs. Plaintiff,) CV 99-AR-1755-S
DAVID TALLEY)
and WARDEN BILLY MITCHEM,)
Defendants.)

ENTERED *[Signature]*
SEP 13 1999,

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on August 26, 1999, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim for which relief can be granted under 28 U.S.C. § 1915A(b). No objections have been filed..

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim for which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 13^A day of September, 1999.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE

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